

REMARKS

Claims 1, 2,17,20,22-25, and 34-38 are in the case.

All Claims stand finally rejected under 35 USC § 112.

It is respectfully submitted that entry of the present response and amendment is proper under 37 C..F.R. 1.116 as it:

- (i) places the application in condition for allowance;
- (ii) does not raise any new issues requiring further search of consideration; and
- (iii) places the application in better form for appeal (if necessary).

No new matter has been added.

Claim Rejections – 35 USC § 112

Claims 1, 2,17,20,22-25, and 34-38 are rejected under 35 USC § 112, first paragraph for lack of written description. The Examiner has maintained his argument that the claims encompass variants of SEQ ID NO:2 that are not adequately described in the specification. In particular the examiner points to the recitation of the hybridization conditions in Claim 1 as creating the undue breadth. Applicants respectfully traverse.

The claims have been amended to remove the limitation of the hybridization conditions.

In view of these amendments Applicants submit that the claims and specification meet the written description requirement under 35 USC § 112 and are in condition for allowance. Reconsideration of the claims as amended is respectfully sought.

Respectfully submitted,



S. NEIL FELTHAM
ATTORNEY FOR APPLICANTS
Registration No.: 36,506
Telephone: (302) 992-6460
Facsimile: (302) 992-5374

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